

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, for the
use of ANDERSON EXCAVATING CO.,

Plaintiff,

v.

KIEWITPHELPS, a Joint Venture, and
TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA, a Connecticut
Corporation (Bond No.
041-SB-105826131); TRAVELERS
INDEMNITY COMPANY, a Connecticut
Corporation (Bond No.
041-SB-105826131),

Defendants.

Case No. 8:19-cv-00303

**ORDER OF DISMISSAL
WITH PREJUDICE**

KIEWITPHELPS, a Joint Venture,

Counterclaim Plaintiff,

v.

ANDERSON EXCAVATING CO. and
UNIVERSAL SURETY COMPANY,

Counterclaim

Defendants.

This matter is before the Court on the parties' Stipulation of Dismissal with Prejudice, [Filing No. 83](#). The Court finds the stipulation should be approved and this action should be dismissed. The parties' pending motions to enforce settlement have been rendered moot and will be denied.

IT IS THEREFORE ORDERED:

1. The parties' pending motions ([Filing No. 77](#) and 80) are denied as moot.

2. The parties' Stipulation of Dismissal with Prejudice ([Filing No. 83](#)) is approved.
3. This action is dismissed in its entirety, with prejudice, with each party to bear its own attorneys' fees and costs.

DATED this 16th day of September 2021.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge